

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DONALD SCHMIDTMANN,

Plaintiff,

v.

6:13-CV-1415
(TJM/ATB)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

THOMAS J. McAVOY,
Senior United States District Judge

DECISION & ORDER

This matter was referred to the Hon. Andrew T. Baxter, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. In a Report-Recommendation dated February 26, 2015, Magistrate Judge Baxter recommended that the decision of the Commissioner be affirmed, and the plaintiff's complaint be dismissed. [Dkt. # 18]. No objections to the Report -Recommendation have been lodged and the time for filing objections has expired.

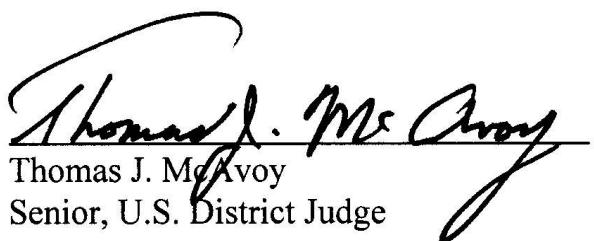
CONCLUSION

After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Therefore, the Court **ADOPTS** the Report-Recommendation [dkt. # 18] for the reasons stated therein. The decision of the Commissioner is **AFFIRMED**, and the plaintiff's complaint is

DISMISSED.

IT IS SO ORDERED.

Dated:March 20, 2015



Thomas J. McAvoy
Senior, U.S. District Judge